



CRL OP(MD). No.9158 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 02/06/2025

PRESENT

The HONOURABLE MR. JUSTICE P. VADAMALAI

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Vijayakumar @ Kumar

... Petitioner/ Accused No.4

Vs

The State of Tamil Nadu,
Rep.By, the Inspector of Police,
Pulivalam Police Station,
Trichy District.
(Crime No.75 of 2019).

... Respondent/ Complainant

For Petitioner : M/s.R.L.Dhilipan Pandian,
Advocate.

For Respondent : Mr.B.Thanga Aravindh
Government Advocate (Crl.Side)

PETITION FOR BAIL Under Sec.483 of BNSS

PRAYER :- For Bail in Crime No.75 of 2019 on the file of the Respondent Police.

ORDER : The Court made the following order :-

The petitioner / Accused No.4, who was arrested and remanded to judicial custody on 28.04.2025 for the offences punishable under Sections 394 and 397 of IPC



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in Crime No.75 of 2019 on the file of the respondent police, seeks bail.

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2. The case of the prosecution is that on 03.09.2019 at about 10:30 p.m., on the Pulibalam – Musiri road, while the defacto complainant was standing and speaking on the phone nearby his two-wheeler bearing registration No. TN 09 BD 5783, an unknown persons/accused came behind him and threw chili powder into his eyes, threatened him and took his mobile phone and a sum of Rs. 1,700 from his pocket. Hence the case.

3. The learned counsel for the petitioner would submit that the petitioner is an innocent and he has not committed any offence as alleged by the prosecution. He would further submit that the petitioner is in custody from 28.04.2025. Hence, he seeks bail.

4. The learned Government Advocate (Criminal Side) would submit that the respondent police has completed the investigation and filed the final report before the learned Judicial Magistrate, Thuraiyur and the same was taken cognizance in P.R.C.No.19 of 2020. Since the petitioner did not appear before the trial Court, the trial Court has issued NBW against him on 04.10.2022 and the same was executed on 28.04.2025. He would further submit that the petitioner is having one previous case, which is similar in nature, hence he objected to grant bail to the petitioner.

5. In reply, the learned counsel appearing for the petitioner would submit that



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as per the Trial Court record, no any precious case pending against the petitioner and he will not abscond in future and ready to abide any stringent conditions that may be imposed by this Court. Hence, he prays for grant of bail to the petitioner.

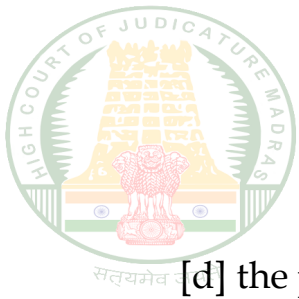
6. Taking into consideration of the facts and circumstances of the case and considering the fact that the investigation has been completed and the charge sheet has been filed before the concerned Court and also taking into consideration the period of incarceration, this court is inclined to grant bail to the petitioner, subject to the following conditions:

7. Accordingly, the petitioner is ordered to be released on bail on his executing a bond for a sum of Rs.25,000/- (Rupees Twenty Five thousand only) with two sureties, each for a like sum to the satisfaction of learned Judicial Magistrate, Thuraiyur and on further conditions that :-

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] The petitioner shall furnish his residential address and mobile number to the learned Judicial Magistrate, Thuriayur. If the petitioner changes his residential address, he shall report the same to the concerned Court.

[C] the petitioner shall appear and sign before the learned Judicial Magistrate, Thuriayur on all working days at 10.30 a.m., until further orders.



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[d] the petitioner shall not abscond either during investigation or trial.

[e] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[f] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560].

[g] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 BNS.

sd/-
02/06/2025

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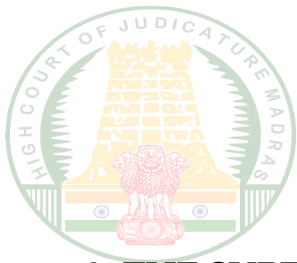
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Sub-Assistant Registrar (CS-I/II/III/IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

MAC

TO

1. THE JUDICIAL MAGISTRATE,
THURAIYUR.
2. THE CHIEF JUDICIAL MAGISTRATE,
TIRUCHIRAPALLI DISTRICT.



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3. THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.

4. THE INSPECTOR OF POLICE,
PULIVALAM POLICE STATION,
TRICHY DISTRICT.

5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER
IN
CRL OP(MD) No.9158 of 2025
Date :02/06/2025

PR/03.06 .2025 5P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023